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Docket No.: 112676.12

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

ROLLE et al.

Serial No. 09/711,131

Filed: November 14, 2000

Group Art Unit:

Examiner:

For: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET

RECEIVED
OCT 24 2001
OFFICE OF PETITIONS
DEPUTY A.C. PATENTS

AFFIDAVIT

Honorable Commissioner for Patents
Washington, D. C. 20231

Sir:

Refusal of an inventor to sign a declaration may be overcome by submitting an affidavit of the facts, the required fee, and the last known address of the non-signing inventor, according to 37 CFR §1.47(a), as amplified in MPEP 409 and MPEP 409.03(d).

I hereby submit this affidavit pursuant to 37 CFR §1.47(a) that one inventor of the referenced application, Mr. Christopher M. Goggin, has repeatedly refused to sign a Declaration and Power of Attorney and an Assignment. Upon information and belief, the following facts of Mr. Goggin's conduct pointing to a refusal, are:

On September 4, 2001, the undersigned sent a letter and Declaration and Power of Attorney and an Assignment to Mr. Reno R. Rolle to be executed by all inventors. A copy of the letter dated September 4, 2001 and Declaration and Power of Attorney and Assignment documents are enclosed.

On September 26, 2001, the undersigned sent via Federal Express a letter and Declaration and Power of Attorney and an Assignment to be executed and returned no later than October 5, 2001. A self-addressed stamped envelope was enclosed for Mr. Goggin's conveyance in returning the executed Declaration and Power of Attorney and Assignment. A copy of the letter dated September 26, 2001, Declaration and Power of Attorney and Assignment documents, and Federal Express Return Receipt are enclosed.

On October 9, 2001, the undersigned sent via Federal Express a letter and Declaration and Power of Attorney and Assignment document to Mr. Goggin to be returned by October 16, 2001. A self-addressed stamped envelope was also enclosed for Mr. Goggin's convenience in returning the executed Declaration and Power of Attorney and Assignment document to us. Copies of the letter dated October 9, 2001, Declaration and Power of Attorney and Assignment document are enclosed.

On October 11, 2001, the undersigned received an email from Mr. Goggin requesting that any further correspondence regarding the application be addressed to his attorney at Howe & Associates. A copy of the email is enclosed.

On October 15, 2001, the undersigned sent a copy of the said application via facsimile to Mr. Howe of Howe & Associates further to Mr. Howe's request. A copy of the fax confirmation sheet showing that the transmission of all 50 pages was received is enclosed.

On October 19, 2001, the undersigned sent the Declaration and Power of Attorney and Assignment documents via facsimile to Mr. Howe of Howe & Associates to be executed by Mr. Goggin and returned via facsimile by October 22, 2001. A copy of the fax confirmation sheet showing that the transmission of 6 pages was received is enclosed.

Mr. Goggin nor his attorney has contacted us since October 19, 2001. However Ms. Lisa Riddle tried to contact Mr. Howe by telephone today, October 22, 2001, and was informed that Mr. Howe is out of the office. Per Ms. Riddle's telephone conference with Ms. Cindy Smith, Mr. Howe had noted in the file that he attempted to call the undersigned this morning, but received her voice mail message. No message was received.

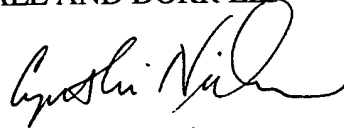
The last known address of Mr. Goggin is:

637 Wild Dunes Circle

Wilmington, NC 28411

I, Cynthia K. Nicholson, do hereby affirm that, to the best of my knowledge, the facts of the case are as stated above.

Respectfully submitted,
HALE AND DORR LLP



Cynthia K. Nicholson
Registration No. 36,880

The Willard Office Building
1455 Pennsylvania Avenue, NW
Washington, DC 20004
202 942 8400 CKN:sed
Date: 10-22-01



HALE AND DORR ^{LLP}
C O U N S E L L O R S A T L A W

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202-942-8400 • FAX 202-942-8484

CYNTHIA K. NICHOLSON

202-942-8482
cynthia.nicholson@haledorr.com

September 4, 2001

Mr. Reno R. Rolle
Synergy Worldwide, Inc.
6010 Greatwood Terrace
Alpharetta, GA 30005

Re: U.S. Patent Application No. 09/711,131
Filed: November 14, 2000
For: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL
BASKET
Our Reference: 112144.126

Dear Reno:

The final extension to file a Response to the Notice to File Missing Parts for the above-referenced application is **September 22, 2001**. Enclosed please find a Declaration and Power of Attorney and an Assignment to be executed and returned to us by **September 17, 2001**. If a Response is not filed by September 22, 2001, the application will go abandoned.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Cynthia K. Nicholson

CKN:sed
Enclosures

Declaration and Power of Attorney
Assignment



Docket No.: 112144.126

PATENT/OFFICIAL

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled:

FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET,

the specification of which was filed on November 14, 2000 as Application Serial No. 09/711,131.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):	
<u>Application Number</u>	<u>Filing Date</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Non-Provisional Application(s):		
<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>
09/406,817	September 28, 1999	Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby grant the firm of HALE AND DORR LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

I hereby appoint the following registered practitioners, and all registered practitioners listed at customer number 24395:

Scott M. Alter, Reg. No. 32,879; Hollie L. Baker, Reg. No. 31,321; Barbara A. Barakat, Reg. No. 32,190; Steven D. Barrett, Reg. No. 40,903; Michael J. Bevilacqua, Reg. No. 31,091; Sally Byrne, Reg. No. 40,545; David L. Cavanaugh, Reg. No. 36,476; David J. Cerveny, Reg. No. 44,600; Nancy Chiu, Reg. No. 43,545; Michael A. Diener, Reg. No. 37,122; Peter M. Dichiaro, Reg. No. 38,005; Gregory S. Discher, Reg. No. 42,488; Irah H. Donner, Reg. No. 35,120; Richard A. Goldenberg, Reg. No. 38,895; Edward D. Grief, Reg. No. 38,898; Joseph F. Haag, Reg. No. 42,612; Wendy A. Haller, Reg. No. 35,177; Anthony H. Kahng, Reg. No. 42,704; Wayne M. Kennard, Reg. No. 30,271; Wayne A. Keown, Reg. No. 33,923; Ann-Louise Kerner, Reg. No. 33,523; Janice M. Klunder, Reg. No. 41,121; James B. Lampert, Reg. No. 24,564; Ayla A. Lari, Reg. No. 43,739; Nels Lippert, Reg. No. 25,888; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Nels Lippert, Reg. No. 25,888; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Robert McIsaac, Reg. No. 46,918; Cynthia K. Nicholson, Reg. No. 36,880; Keum J. Park, Reg. No. 42,059; Jason A. Reyes, Reg. No. 41,513; Gretchen A. Rice, Reg. No. 37,429; MaryRose Scozzafava, Reg. No. 36,268; Victor F. Souto, Reg. No. 33,458; Donald R. Steinberg, Reg. No. 37,241; Colleen Superko, Reg. No. 39,850; C. Hall Swaim, Reg. No. 22,838; Leonid D. Thenor, Reg. No. 39,397; Michael J. Twomey, Reg. No. 38,349; Rajesh Vallabh, Reg. No. 35,761; Gary A. Walpert, Reg. No. 26,098; Lisa M. Wilson, Reg. No. 34,045; Henry N. Wixon, Reg. No. 32,073; and Luke J. Yeh, Reg. No. 43,296.

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them at the address at customer number 24395, and specifically:

HALE AND DORR
1455 Pennsylvania Avenue, NW
Washington, DC 20004
TEL 202.942.8400
FAX 202.942.8484

Full name of sole or first inventor: Reno R. Rolle

Inventor's signature:

Date:

Residence: Alpharetta, Georgia

Citizenship: USA

Post Office Address: 6010 Greatwood Terrace, Alpharetta, GA 30005

Full name of sole or first inventor: Christopher M. Goggin

Inventor's signature:

Date:

Residence: Wilmington, North Carolina

Citizenship: USA

Post Office Address: 637 Wild Dunes Circle, Wilmington, NC 28411

Full name of sole or first inventor: Mark M. Laisure

Inventor's signature:

Date:

Residence: Atlanta, Georgia

Citizenship: USA

Post Office Address: 3235 Roswell Road, NE #917, Atlanta, GA 30305

ASSIGNMENT

WHEREAS I/WE, Christopher M. Goggin of Wilmington, North Carolina and Mark M. Laisure of Atlanta, Georgia, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET, executed by me/us on the date of execution of this document, as shown below, and for which an application for United States Letters Patent was filed on November 14, 2000, and identified by United States Serial No. 09/711,131;

AND WHEREAS, Reno R. Rolle, a citizen of the United States of American and having an address of 6010 Greatwood Terrace, Alpharetta, GA 30005, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, I/We do hereby sell, assign, transfer and set over unto Reno R. Rolle, his legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including Continuation Application Serial No. 09/406,817 filed September 28, 1999, any patent applications in the United States and foreign countries, and any original applications, formal applications, continuation applications, continuations-in-part applications, continued prosecution applications, request for continued examination applications, divisional applications, reissue applications, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention, and all rights to claim priority therefrom and/or thereto; and any copyright or designs associated with or in said invention; and all rights of action and damages for any past, present or future infringement relating thereto, including all rights of actions and damages from publication of the patent applications and/or issuance of any patent relating thereto;

UPON SAID CONSIDERATIONS, I/We hereby agree with the said assignee that I/We will not execute any writing or do any act whatsoever conflicting with these presents, and that I/We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

The undersigned hereby grant(s) the firm of HALE and DORR LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

AND I/We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Reno R. Rolle, his legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Christopher M. Goggin

Date

Mark M. Laisure

Date

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Christopher M. Goggin, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Mark M. Laisure, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____



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202-942-8400 • FAX 202-942-8484

CYNTHIA K. NICHOLSON

202-942-8482
cynthia.nicholson@haledorr.com

September 26, 2001

By Federal Express

Christopher M. Goggin
637 Wild Dunes Circle
Wilmington, NC 28411

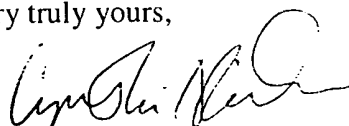
Re: U.S. Patent Application No. 09/711,131
For: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL
BASKET
Our Reference: 112144.126

Dear Mr. Goggin:

Enclosed please find a Declaration and Power of Attorney form and an Assignment document for the above-referenced patent application. Please execute the forms and return them to our office no later than **October 5, 2001**. We have enclosed a self-addressed stamped envelope for your convenience.

Please do not hesitate to contact me should you have any questions.

Very truly yours,



Cynthia K. Nicholson

CKN:lrr



Docket No.: 112144.126

PATENT OFFICIAL

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled:

FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET,

the specification of which was filed on November 14, 2000 as Application Serial No. 09/711,131.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 35, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Number Country Day/Month/Year filed

Priority Claimed

Yes No

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided in the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Non-Provisional Application(s):

Serial No.
09/406,817

Filing Date
September 28, 1999

Status: Patented, Pending, Abandoned
Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby grant the firm of HALE AND DORR LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

I hereby appoint the following registered practitioners, and all registered practitioners listed at **customer number 24395**:

Scott M. Alter, Reg. No. 32,879; Hollie L. Baker, Reg. No. 31,321; Barbara A. Barakat, Reg. No. 32,190; Steven D. Barrett, Reg. No. 40,903; Michael J. Bevilacqua, Reg. No. 31,091; Sally Byrne, Reg. No. 40,545; David L. Cavanaugh, Reg. No. 36,476; David J. Cerveney, Reg. No. 44,600; Nancy Chiu, Reg. No. 43,545; Michael A. Diener, Reg. No. 37,122; Peter M. Dichiaro, Reg. No. 38,005; Gregory S. Discher, Reg. No. 42,488; Irah H. Donner, Reg. No. 35,120; Richard A. Goldenberg, Reg. No. 38,895; Edward D. Grief, Reg. No. 38,898; Joseph F. Haag, Reg. No. 42,612; Wendy A. Haller, Reg. No. 35,177; Anthony H. Kahng, Reg. No. 42,704; Wayne M. Kennard, Reg. No. 30,271; Wayne A. Keown, Reg. No. 33,923; Ann-Louise Kerner, Reg. No. 33,523; Janice M. Klunder, Reg. No. 41,121; James B. Lampert, Reg. No. 24,564; Ayla A. Lari, Reg. No. 43,739; Nels Lippert, Reg. No. 25,888; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Nels Lippert, Reg. No. 25,888; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Robert McIsaac, Reg. No. 46,918; Cynthia K. Nicholson, Reg. No. 36,880; Keum J. Park, Reg. No. 42,059; Jason A. Reyes, Reg. No. 41,513; Gretchen A. Rice, Reg. No. 37,429; MaryRose Scozzafava, Reg. No. 36,268; Victor F. Souto, Reg. No. 33,458; Donald R. Steinberg, Reg. No. 37,241; Colleen Superko, Reg. No. 39,850; C. Hall Swaim, Reg. No. 22,838; Leonid D. Thenor, Reg. No. 39,397; Michael J. Twomey, Reg. No. 38,349; Rajesh Vallabh, Reg. No. 35,761; Gary A. Walpert, Reg. No. 26,098; Lisa M. Wilson, Reg. No. 34,045; Henry N. Wixon, Reg. No. 32,073; and Luke J. Yeh, Reg. No. 43,296.

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them at the address at **customer number 24395**, and specifically:

HALE AND DORR
1455 Pennsylvania Avenue, NW
Washington, DC 20004
TEL 202.942.8400
FAX 202.942.8484

Full name of sole or first inventor: Reno R. Rolle

Inventor's signature: _____ Date: _____

Residence: Alpharetta, Georgia

Citizenship: USA

Post Office Address: 6010 Greatwood Terrace, Alpharetta, GA 30005

Full name of sole or first inventor: Christopher M. Goggin

Inventor's signature:

Date:

Residence: Wilmington, North Carolina

Citizenship: USA

Post Office Address: 637 Wild Dunes Circle, Wilmington, NC 28411

Full name of sole or first inventor: Mark M. Laisure

Inventor's signature:

Date:

Residence: Atlanta, Georgia

Citizenship: USA

Post Office Address: 3235 Roswell Road, NE #917, Atlanta, GA 30305

ASSIGNMENT

WHEREAS I/WE, Christopher M. Goggin of Wilmington, North Carolina and Mark M. Laisure of Atlanta, Georgia, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET, executed by me/us on the date of execution of this document, as shown below, and for which an application for United States Letters Patent was filed on November 14, 2000, and identified by United States Serial No. 09/711,131;

AND WHEREAS, Reno R. Rolle, a citizen of the United States of American and having an address of 6010 Greatwood Terrace, Alpharetta, GA 30005, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, I/We do hereby sell, assign, transfer and set over unto Reno R. Rolle, his legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including Continuation Application Serial No. 09/406,817 filed September 28, 1999, any patent applications in the United States and foreign countries, and any original applications, formal applications, continuation applications, continuations-in-part applications, continued prosecution applications, request for continued examination applications, divisional applications, reissue applications, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention, and all rights to claim priority therefrom and/or thereto; and any copyright or designs associated with or in said invention; and all rights of action and damages for any past, present or future infringement relating thereto, including all rights of actions and damages from publication of the patent applications and/or issuance of any patent relating thereto;

UPON SAID CONSIDERATIONS, I/We hereby agree with the said assignee that I/We will not execute any writing or do any act whatsoever conflicting with these presents, and that I/We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

The undersigned hereby grant(s) the firm of HALE and DORR LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

AND I/We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Reno R. Rolle, his legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Christopher M. Goggin

Date

Mark M. Laisure

Date

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Christopher M. Goggin, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Mark M. Laisure, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

HALE AND DORR LLP
C O U N S E L L O R S A T L A W

haledorr.com

THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVENUE, N.W. • WASHINGTON, D.C. 20004-1008
202-942-8400 • FAX 202-942-8484



CYNTHIA K. NICHOLSON

202-942-8482
cynthia.nicholson@haledorr.com

October 9, 2001

By Federal Express

Christopher M. Goggin
637 Wild Dunes Circle
Wilmington, NC 28411

Re: U.S. Patent Application No. 09/711,131
For: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL
BASKET
Our Reference: 112144.126

Dear Mr. Goggin:

Further to our letter of September 26, 2001, we again enclose for your signature a Declaration and Power of Attorney form and an Assignment form for the above-referenced application. We have also enclosed a self-addressed stamped envelope for your convenience.

You must return the executed Declaration and Power of Attorney by **October 16, 2001**. If we do not receive the executed Declaration and Power of Attorney by that date, we will proceed to prosecute the above-identified patent application before the U.S. Patent and Trademark Office, indicating that you are a non-signing joint inventor. We would like to avoid this situation, but, in the end, how we proceed is entirely up to you.

Please call if you have any questions.

Very truly yours,



Cynthia K. Nicholson

CKN:lrr



Docket No.: 112144.126

PATENT/OFFICIAL

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled:

FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET,

the specification of which was filed on November 14, 2000 as Application Serial No. 09/711,131.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 35, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under 35 USC 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):	
<u>Application Number</u>	<u>Filing Date</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Non-Provisional Application(s):		
<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>
09/406,817	September 28, 1999	Patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information at belief are believed to be true; and further that these statements were made with the knowledge that willful false statements are the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby grant the firm of HALE AND DORR LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

I hereby appoint the following registered practitioners, and all registered practitioners listed at customer number 24395:

Scott M. Alter, Reg. No. 32,879; Hollie L. Baker, Reg. No. 31,321; Barbara A. Barakat, Reg. No. 32,190; Steven D. Barrett, Reg. No. 40,903; Michael J. Bevilacqua, Reg. No. 31,091; Sally Byrne, Reg. No. 40,545; David L. Cavanaugh, Reg. No. 36,476; David J. Cerveney, Reg. No. 44,600; Nancy Chiu, Reg. No. 43,545; Michael A. Diener, Reg. No. 37,122; Peter M. Dichiaro, Reg. No. 38,005; Gregory S. Discher, Reg. No. 42,488; Irah H. Donner, Reg. No. 35,120; Richard A. Goldenberg, Reg. No. 38,895; Edward D. Grieff, Reg. No. 38,898; Joseph F. Haag, Reg. No. 42,612; Wendy A. Haller, Reg. No. 35,177; Anthony H. Kahng, Reg. No. 42,704; Wayne M. Kennard, Reg. No. 30,271; Wayne A. Keown, Reg. No. 33,923; Ann-Louise Kerner, Reg. No. 33,523; Janice M. Klunder, Reg. No. 41,121; James B. Lampert, Reg. No. 24,564; Ayla A. Lari, Reg. No. 43,739; Nels Lippert, Reg. No. 25,888; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Nels Lippert, Reg. No. 25,888; Maria L. Maebius, Reg. No. 42,967; Dominic Massa, Reg. No. 44,905; Robert McIsaac, Reg. No. 46,918; Cynthia K. Nicholson, Reg. No. 36,880; Keum J. Park, Reg. No. 42,059; Jason A. Reyes, Reg. No. 41,513; Gretchen A. Rice, Reg. No. 37,429; MaryRose Scozzafava, Reg. No. 36,268; Victor F. Souto, Reg. No. 33,458; Donald R. Steinberg, Reg. No. 37,241; Colleen Superko, Reg. No. 39,850; C. Hall Swaim, Reg. No. 22,838; Leonid D. Thenor, Reg. No. 39,397; Michael J. Twomey, Reg. No. 38,349; Rajesh Vallabh, Reg. No. 35,761; Gary A. Walpert, Reg. No. 26,098; Lisa M. Wilson, Reg. No. 34,045; Henry N. Wixon, Reg. No. 32,073; and Luke J. Yeh, Reg. No. 43,296.

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them at the address at customer number 24395, and specifically:

HALE AND DORR
1455 Pennsylvania Avenue, NW
Washington, DC 20004
TEL 202.942.8400
FAX 202.942.8484

Full name of sole or first inventor: Reno R. Rolle

Inventor's signature:

Date:

Residence: Alpharetta, Georgia

Citizenship: USA

Post Office Address: 6010 Greatwood Terrace, Alpharetta, GA 30005

Full name of sole or first inventor: Christopher M. Goggin

Inventor's signature:

Date:

Residence: Wilmington, North Carolina

Citizenship: USA

Post Office Address: 637 Wild Dunes Circle, Wilmington, NC 28411

*****:

Full name of sole or first inventor: Mark M. Laisure

Inventor's signature:

Date:

Residence: Atlanta, Georgia

Citizenship: USA

Post Office Address: 3235 Roswell Road, NE #917, Atlanta, GA 30305

*****:

ASSIGNMENT

WHEREAS I/WE, Christopher M. Goggin of Wilmington, North Carolina and Mark M. Laisure of Atlanta, Georgia, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled: FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET, executed by me/us on the date of execution of this document, as shown below, and for which an application for United States Letters Patent was filed on November 14, 2000, and identified by United States Serial No. 09/711,131;

AND WHEREAS, Reno R. Rolle, a citizen of the United States of American and having an address of 6010 Greatwood Terrace, Alpharetta, GA 30005, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, I/We do hereby sell, assign, transfer and set over unto Reno R. Rolle, his legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including Continuation Application Serial No. 09/406,817 filed September 28, 1999, any patent applications in the United States and foreign countries, and any original applications, formal applications, continuation applications, continuations-in-part applications, continued prosecution applications, request for continued examination applications, divisional applications, reissue applications, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention, and all rights to claim priority therefrom and/or thereto; and any copyright or designs associated with or in said invention; and all rights of action and damages for any past, present or future infringement relating thereto, including all rights of actions and damages from publication of the patent applications and/or issuance of any patent relating thereto;

UPON SAID CONSIDERATIONS, I/We hereby agree with the said assignee that I/We will not execute any writing or do any act whatsoever conflicting with these presents, and that I/We will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or choses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

The undersigned hereby grant(s) the firm of HALE and DORR LLP the power to insert on this Assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

AND I/We request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said Reno R. Rolle, his legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Christopher M. Goggin

Date

Mark M. Laisure

Date

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Christopher M. Goggin, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 20____, before me personally appeared Mark M. Laisure, to me known to be the person named in and who executed the above instrument, and acknowledged to me that he executed the same for the uses and purposes therein set forth.

S E A L

Notary Public

My commission expires _____

: contact]

Subject: [Fwd: contact]

Date: Thu, 11 Oct 2001 10:21:40 -0400

From: "Cynthia Nicholson" <Cynthia.Nicholson@haledorr.com>

Organization: Hale and Dorr LLP

To: Lisa Riddle <Lisa.Riddle@haledorr.com>

Lisa, attached is a response from Chris Goggin, the non-signing inventor in the Salton patent application.

--

Cynthia K. Nicholson
Intellectual Property Group
Hale and Dorr LLP
1455 Pennsylvania Avenue N.W.
Washington DC 20004
202.942.8482
202.942.8484 (fax)

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For more information about Hale and Dorr LLP, please visit us at <http://www.haledorr.com>.

Subject: contact

Date: Thu, 11 Oct 2001 08:58:48 -0400

From: "Product Development, R&D 100 Winner 2000" <grc@goggin.com>

To: cynthia.nicholson@haledorr.com

Dear Cynthia:

All further matters concerning the Spin Fryer, or Synergy need to be addressed to my attorney:

Howe & Associates
5385 Kimball Bridge Road
Suite 100
Alpharetta, GA 30022
(678) 566-6800
FX (678) 566-6808

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Fax / Phone:

To: Mr. Howe
Howe & Associates

678-566-6808 / 678-566-6800

From: Cynthia K. Nicholson
202-942-8482

Date: October 15, 2001

Note: Our Ref.: 112676.123
Patent Serial No. 09/711,131

Per our telephone conversation, attached is the Patent application for "FOOD COOKING SYSTEM WITH ULTRASONIC ROTATIONAL BASKET"

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Fax / Phone:

To: Mr. Howe
Howe & Associates

678-566-6808 / 678-566-6800

From: Cynthia K. Nicholson
202-942-8482

(Lisa Riddle, Paralegal)
(202-942-8355)

Date: October 19, 2001

Note: As previously discussed, please have Mr. Goggin execute the attached documents and return them via facsimile by Monday, **October 22, 2001**. Please note that Monday is the final date for submitting these documents to the U.S. Patent Office. If you have any questions, please do not hesitate to contact our office. Thank you.

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Fax / Phone:

678-566-6808 / 678-566-6800

To: Mr. Howe
Howe & Associates

From: Cynthia K. Nicholson
202-942-8482

(Lisa Riddle, Paralegal)
(202-942-8355)

Date: October 19, 2001

Note: As previously discussed, please have Mr. Goggin execute the attached documents and return them via facsimile by **Monday, October 22, 2001**. Please note that Monday is the final date for submitting these documents to the U.S. Patent Office. If you have any questions, please do not hesitate to contact our office. Thank you.

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